


COMMISSIONERS APPROVAL

CHILCOTT 

THOMPSON 

LYONS

PLETTENBERG (Clerk & Recorder)

Date.....February 20, 2007

Members Present.....Commissioner Greg Chilcott,
Commissioner Alan Thompson and Commissioner Howard Lyons

Minutes: Glenda Wiles

The Board met with Planner John Lavey in regard to a discussion and decision of parkland cash in lieu donation for Silverado Height Subdivision. John stated under the old regulations this subdivision would have been calculated under the Department of Revenue, which would have come in at \$2,000.00. Under the new regulations the value for cash in lieu is valued by a certified appraiser, which comes in at \$10,000.00. John stated since this is a significant change, he wanted to bring this to the Board.

No members of the public were present and no public comment was made. Board deliberation then took place. Commissioner Chilcott stated it is worth \$10,000.00 as agricultural land, but as a lot it would be triple that in value. For purposes of discussion, he stated if the county held one lot and sold it later, they would have three times the money to put into park infrastructure. Commissioner Thompson stated the county is not a developer of properties. Commissioner Chilcott stated he understands that and is not advocating they hold the property and then sell it; he is simply addressing maximizing this cash for the county's benefit. Commissioner Lyons asked if they could donate land instead of cash in lieu. John noted the agreement and conditional approval was for cash in lieu of park land. Commissioner Thompson stated this is only .4 acres and could not be utilized for lot development.

Commissioner Thompson made a motion to accept the cash in lieu of park land in the amount of \$10,365.60. Commissioner Lyons seconded the motion and all voted "aye".

In other business the Board met with Attorney Larry Johnson in regard to off-premise road signs on Highway 93, north of Hamilton. Larry stated he is dealing with the nature of the easements that exist along the highway in regard to off-premise signs. His clients, the Blahnik's, own property along this particular strip of roadway. Larry stated he and his clients are arguing with Lamar Signs over the nature of the easement. The Blahnik's understood there was an easement for the signs when they bought the property, but feel when the new highway is constructed the signs would be moved. However, Lamar Sign

Company stated they would be responsible to move the signs. He stated The Blahnik's obtains no lease or rent money from Lamar for these signs. He would like to have another meeting with all parties including, Montana Department of Transportation, Lamar, Blahnik's and the County Attorney so the question of easement and the local sign ordinance variance can be addressed. The Board concurred that another meeting can be held and Larry will work with Glenda to schedule that meeting.

The Board met with Victims Witness Assistance Coordinator Valerie (Widmere) Laurence in regard to the approval of a grant through the National Children's Alliance of \$5,000 for the purchase of equipment to be utilized at Emma's House. This equipment will allow a nurse practitioner to collect forensic evidence from child victims. Commissioner Lyons made a motion to submit the grant request and sign a letter of support. Commissioner Thompson seconded the motion and all voted "aye".

In other business, Commissioner Lyons attended a lunch time meeting with JSEC (Job Service).

The Board met for various administrative issues as follows:

Commissioner Thompson made a motion to grant final approval to the Grand Vista Estates Subdivision. Commissioner Lyons seconded the motion and all voted "aye".

Administrative Officer Skip Rosenthal addressed the Darby CTEP Project which was approved by the Commissioners. He noted the bid came in lower than anticipated. He asked if the Board wanted to hold to the original CTEP match of \$23,000.00 or spend a percentage of match monies to match the lower bid received. Skip suggested he calculate the amounts for both Darby and the county to decrease both amounts of CTEP monies and the required match amount by Darby. The Board concurred.

Skip presented numerous Employee Action Forms for approval and signature.

Skip also addressed the new Compliance Specialist and Environmental Health Director positions. An action form was submitted for the Compliance Specialist that was recently hired. Skip also discussed the applications for the Director position. The Board will review the five applications and interviews will be set up at a later date.

Commissioner Thompson made a motion to approve Resolution No. 2036, which allows the purchase of supplies and various equipment from the State of Montana. Commissioner Lyons seconded the motion and all voted "aye".

Commissioner Thompson made a motion to adopt the minutes of November 24, 2006 through November 30, 2006. Commissioner Chilcott seconded the motion and all voted "aye".

The Board met with Betty Frost who is the Secretary of the Ward Irrigation District. They currently have 972 acres of boundaries for tax assessment and in November and

May they received their tax assessment monies. The State water adjudication process and a wash-out to their irrigation system this summer have caused them to hire an attorney and a water specialist. Thus they have an indebtedness of \$10,000.00. They have workers' comp, purchase of water, maintenance and by November 2007 they will be short approximately \$13,000 in order to continue their water delivery. Betty stated they have always invested their monies in CD's, but in July they began to invest with the county funds which should bring them more money. She asked if the county could loan the irrigation district monies or grant permission to pay their bills, be in debt paying the interest only, which would be similar to a line of credit. They will meet with the annual membership to raise their amount per acre and implement a per user fee to generate more money. They could generate \$16,000 in these fees, half of which they could collect in November 2007. She stated if the fees are implemented, they should have enough money to pay their debt by November 2008.

Present at this meeting was Civil Counsel Alex Beal. Discussion included the Montana Statutes for the use of tax payer monies and what authority is allowed the Commissioners and the current state of the budget. Betty asked if they could go out and obtain 'any' type of a loan. She has visited with DNRC and RC&D, but to receive any money from them the repair would need to be an emergency for water delivery. Alex stated he will need to review the manner in which the irrigation district is set up and how the loan is worded with Irrigation District Board approval. He will review the statutes in regard to what is needed and what the Commissioners are allowed to do. In a matter of policy, the Commissioners will then review this request when more information is obtained.

In other business the Board presented a letter of commendation and plaque to Kelvin Grover for his life-saving efforts on behalf of the victim of a fatal traffic collision on Highway 93 north of Hamilton.

Commissioner Chilcott attended a 5-Valley Transportation Committee meeting in Hamilton during the late afternoon and early evening hours.